

MAY. 20. 2004 3:39PM

LVM 312 616 5700

NO. 6515 P. 1

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**FACSIMILE COVER SHEET**

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DATE: JUNE 2, 2003

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THIS TRANSMITTAL COVER SHEET): 17

OUR REFERENCE: 216395

**FROM:** JEFFREY B. BURGAN  
REGISTRATION NO. 35,463

**TO:** UNITED STATES PATENT AND TRADEMARK OFFICE  
EXAMINER ERICA B. HARRIS

TELEPHONE NUMBER:  
FACSIMILE NUMBER: 703-305-3597

IN RE APPLN. OF: HERZOG ET AL.  
APPLICATION NO. 09/973,389  
FILED: OCTOBER 9, 2001  
FOR: STORAGE RACK SYSTEM ANDLOCKING LATCH THEREFOR  
GROUP ART UNIT: 3634  
EXAMINER: ERICA B. HARRIS

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FORM PTO-1083

LVM 312 616 5700

NO. 6515 P. 2

PATENT

Attorney Docket No. 216395

Client Reference No.

Date: May 20, 2004

In re Application of: Herzog et al.

Application No. 09/973,389

Filed: October 9, 2001

For: STORAGE RACK SYSTEM AND LOCKING LATCH THEREFOR

COMMISSIONER FOR PATENTS

Washington, D.C. 20231

Sir:

Transmitted herewith is an Office Action in the subject application.

Applicants claim small entity status of this application under 37 CFR 1.27.

Petition for Extension of Time

Applicants petition for a three-month extension of time under 37 CFR 1.136, the fee for which is \$930.00 (enclosed).

Applicants believe that no petition for an extension of time is necessary. However, to the extent that such petition is deemed necessary, Applicants hereby petition for a sufficient extension of time to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.

No additional claim fee is required.

Other: Statement Under 37 C.F.R. § 1.608(a)

The claim fee has been calculated as shown below:

						SMALL ENTITY		OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		EXTRA CLAIMS PRESENT		RATE	ADDT. CLAIM FEE	RATE	ADDT. CLAIM FEE
TOTAL	20	MINUS	49	=0		x 9=	\$	x 18=	\$0.00
INDEPENDENT	3	MINUS	10	=0		x 42=	\$	x 84=	\$0.00
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM					+ 140=	\$	+ 280=	\$
						TOTAL	\$	TOTAL	\$0.00

Please charge my Deposit Account No. 12-1216 in the amount of \$0.00. A duplicate copy of this sheet is attached.

A check in the amount of \$ is attached.

The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216. A duplicate copy of this sheet is attached.

Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

LEYDIG, VOIT & MAYER, LTD.

By

Jeffrey B. Burgan, Reg. No. 35,463

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